

Ordinance No. 2-06

ORDINANCE:

To grant Text Amendment
Application No. TXT2006-
000218, Mayor and Council
of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, 20850, filed Text Amendment Application TXT2006-00218, for the purpose of prohibiting the creation of pipe stem lots; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of March 8, 2006, and recommended approval of the application as set forth in a memorandum to the Mayor and Council dated March 10, 2006; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on March 20, 2006 at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on March 20, 2006, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council having considered the text amendment application, and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, as amended, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND
COUNCIL OF ROCKVILLE, MARYLAND, that Text Amendment Application
No. TXT2006-00218, be, and the same is hereby, granted, as amended, in the
form set forth below:

SECTION 1. That Chapter 25 of the Rockville City Code entitled “Zoning and Planning Ordinance” be amended by amending Section 25-1 “Definitions” to amend the definition of “Lot, front of” and to add a definition of “Lot, pipe stem” to read as follows:

Lot, front of means the side or sides of an interior or through lot, other than a pipe stem lot, which abuts a street; in a corner lot, the side or sides abutting either street may be considered as the front lot line provided that the side selected as the front has the required minimum lot frontage.

* * *

Lot, pipe stem, means a lot that does not meet the required frontage at the normal minimum front setback line, due to being configured with a narrow panhandle or pipe stem, which panhandle or pipe stem provides vehicular and pedestrian access to a street, with the bulk of the property lying to the rear of one or more lots.

SECTION 2. That Chapter 25 of the Rockville City Code entitled “Zoning and Planning Ordinance” be amended by amending Section 25-311 “Table of Development Standards” so as to add a new footnote (10) to the R-60 and R-75 zones under the heading “Minimum lot width,” subheading “at front lot line,” to read as follows:

¹⁰ No minimum lot widths apply at the front lot line for pipe stem lots.

SECTION 3. That Chapter 25 of the Rockville City Code entitled
“Zoning and Planning Ordinance” be amended by amending Section 25-749,
“Lots” as follows:

Section 25-749. Lots.

(a) * * *

(b) * * *

(c) Pipe stem lots. The following provisions apply to pipe stem lots:

(1) * * *

(2) * * *

(3) * * *

(4) * * *

(5) * * *

(6) The City may not accept for filing any application for
subdivision, resubdivision, or a special development procedure that creates a
new pipe stem lot or lots for one-family detached residential dwellings.

(7) Any record lot which is a pipe stem lot shall be
considered a buildable lot.

(8) The Planning Commission shall not grant a variance
pursuant to Section 25-712(a) that results in a pipe stem lot, as defined in this
Chapter.

(d) * * *

NOTE: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

* * * * *

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of April 24, 2006.

Claire F. Funkhouser, CMC, City Clerk